

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:23-cv-00137-MR**

**CHARLIE HARDEN,**

**Plaintiff,**

**vs.**

**FNU ROACH, et al.,**

**Defendants.**

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**ORDER**

**THIS MATTER** is before the Court on initial review of Plaintiff's Complaint. [Doc. 1].

**I. BACKGROUND**

In this action filed on March 2, 2023, pro Plaintiff Charlie L. Hardin ("Plaintiff"), a state prisoner currently incarcerated at Granville Correctional Institution ("Granville CI") in Butner, North Carolina, purports to bring claims arising out of events occurring at Granville CI.<sup>1</sup> Plaintiff names 20 Defendants in this matter, all identified as officers and/or employees of Granville CI. [Id. at 1-3, 12]. Plaintiff alleges that Defendants violated his rights under the First, Eighth, and Fourteenth Amendments through a series

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<sup>1</sup> Butner, North Carolina, is in the Eastern District.

of events not amenable to summary here. [Id. at 3]. Plaintiff claims various physical injuries and seeks monetary relief, including punitive damages. [Id. at 5].

## **II. DISCUSSION**

In an action arising under 42 U.S.C. § 1983, venue is established by 28 U.S.C. § 1391(b), which provides: (b) A civil action may be brought in: (1) a judicial district where any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

Therefore, under Section 1391, Plaintiff's action may be heard in a venue where all the defendants reside, or in the venue where the issue substantially arose, which here is the Eastern District of North Carolina. Pursuant to 28 U.S.C. § 1406(a), the Court may dismiss this action, or, if it is in the interest of justice, transfer this action to the United States District Court for the Eastern District of North Carolina. The Court will transfer this action to the Eastern District of North Carolina.

### III. CONCLUSION

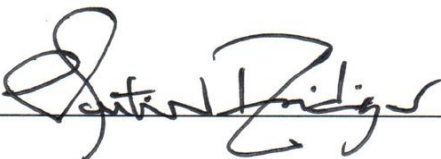
For the reasons stated herein, the Court transfers this action to the Eastern District of North Carolina.

**IT IS, THEREFORE, ORDERED** that:

1. Plaintiff's action is transferred to the Eastern District of North Carolina.
2. The Clerk is instructed to terminate this action.

**IT IS SO ORDERED.**

Signed: March 6, 2023

  
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Martin Reidinger  
Chief United States District Judge

